



**IT IS ORDERED as set forth below:**

**Date: March 29, 2023**

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**James R. Sacca**  
**U.S. Bankruptcy Court Judge**

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
GAINESVILLE DIVISION**

IN RE:	)	CHAPTER 13
	)	
RALPH EDWARD JESTER	)	CASE NO. 20-21558-jrs
	)	
DEBTOR	)	JUDGE JAMES R. SACCA

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**CONSENT ORDER ON**  
**MOTION TO APPROVE THE SALE OF PROPERTY OF THE ESTATE**

This matter came before the Court on March 30, 2023 on the expedited hearing on Debtor's Motion to Approve Sale of Property of the Estate (the "Motion") filed by Debtor, Ralph Edward Jester, (the "Debtor") in the above-styled Chapter 13 case. The Motion requests approval for the Debtor to sell the real property commonly known 801 Carmon Court, Winder, Georgia 30680 (the "Property"). U.S. Bank Trust National Association, as Trustee of Dwelling Series IV Trust, secured creditor holding the first lien on the Property (the "Secured Creditor"), through counsel and the Chapter 13 Trustee (the "Trustee") have asserted limited responses/objections to the motion. The parties, by and through undersigned counsel, have agreed to address and resolve the matters as set forth below. Based upon the foregoing, the record in this case, and for good cause shown:

**IT IS HEREBY ORDERED** that the Motion is **GRANTED** and Debtor is approved to sell the Property as described in the Motion and set forth above; and, the proceeds of the sale shall be applied to

satisfy the allowed costs of the sale and the allowed encumbrances against the property as determined by the closing attorney pursuant to commonly accepted real estate standards and practices under Georgia law.

**ORDERED** that the parties agreed and acknowledge that Creditor's lien is in the first lienholder position and has secured status.

**ORDERED** that the Debtor, or agent of Debtor (closing attorney), shall request a proper payoff from Creditor *prior* to the closing.

**ORDERED** that upon the closing on the Property, Secured Creditor's lien shall attach to any and all proceeds of the sale up to the full amount of Creditor's payoff as of the date of such sale and/or payment in full tendered to Creditor. Said payoff shall be promptly sent to the Secured Creditor as set forth on the "Payoff Statement."

**IT IS FURTHER ORDERED** that a minimum of \$40,000.00 or the amount provided by the Trustee, shall be remitted to the Chapter 13 Trustee to be used to pay off Debtor's case at a 100% dividend.

**[END OF DOCUMENT]**

Prepared by:

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